

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 6, 2012

PRESENT: Marshall, Barboza, Teixeira, Herreshoff and Parella

ALSO PRESENT: Diane C. Mederos, Town Administrator
Michael A. Ursillo, Esq., Town Solicitor
Marshall J. Netto, Town Sergeant

The Council met in regular session on Wednesday evening, June 6, 2012 in the Town Hall, Council Chambers, beginning at 7:13 o'clock PM, Council Chairman Marshall presiding:

SPECIAL PRESENTATIONS

"Courtyard Crashers"
Rhode Island Veterans Home

Prior to the commencement of this evening's regular agenda, Council Chairman Marshall read the following:

*State of Rhode Island and Providence Plantations
Town of Bristol
Commendation
awarded to*

RI Veterans Home "Courtyard Crashers"

*volunteers and contributors in recognition of their
achievement in the restoration, repair and replanting of
Veterans Home facilities, May 19 & 20, 2012.*

*As the duly elected representatives of the citizens of the
Town of Bristol we hereby recognize and commend these
participants of the Veterans Home "Courtyard Crash" upon
their great success and extend the heartfelt congratulations
of an appropriately proud community:*

Landscape Architects/Designers: *George Gifford, Gifford Design Group; Kristin Kaczmarek, John Carter Company; Sara Bradford, Bradford Associates; Hali Beckman, Hali Beckman, Ltd.; Sophath Toun, Soto Design Co.; Eric Larsen, Green Systems; Michael Dowham, Veri Waterman Associates; Josh Wheeler, Josh Wheeler-All Island Landscaping; Shannon Rozea, Landscape Architect; Debora J. Aldo, Pietre Dure Design; Marjorie Hardisty, URI Master Gardeners; and Kristen Pereira, Bradford Associates.*

Association: *Shannon Brawley, RI Nursery and Landscape Association*

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Contractors & Suppliers: Mike DaPonte, Landscaping Services, Inc.; Glenn Daubeney, Daubeney Home Construction; Keith Daubeney, Bayside Landscaping; Mike Brito, Brito's Landscaping Services, LLC; Bristol Workshops in Photography; Lenny Calderone, Compete Streets USA; Kevin Wilbur, Coastal Construction; Carlos Medeiros, American Tree Works; Central Nursery; Sepe Family, Northeastern Tree; Laborer's Union; Perry Caruso, Remax; Joshua Wheeler, All Island Landsape, Joseph Brito, Jr., C. Brito Construction; Chris Beneduce, New England Landscape Lighting; Chris Francis, ELJ, Inc.; Horner Mill Works Doors; Wildwood Nurseries; 136 Express; Chuck Staton, Staton's Landscaping; Buddy Souza, F&S Electric; Anthony Santoro, Primeco Painting; Robert Sousa, Modern Concrete; Antonio Sousa, S & S Concrete; Steve Ferreira (light fixtures); Mt. Hope Paint; US Navy and Marine Corps Volunteers, Newport Naval Station; Cardi's Furniture; David Amey, Seaside Casual Outdoor Furniture; Lisa Villarrrell, Home Depot; Consolidated Concrete Corp.; Mike Acton, Arnold Lumber; Marc Petrowicz and Matt Foley, Unilock Pavers; Aspects, Inc.; Kyle Steward, Stewart Nursery; Harry Chase & Family, Chase Farms Nursery; The Hoogendoorn Family, Hoogendoorn Nursery; Erik Hadenstein & Family, Allens Seed, Professional Turf Products and Services; Eric Larsen, Green Systems, Inc.; Steve Wyatt, All Island Septic Systems; Tom Stepp, All Island Masonry Services; Forest Hill Nursery of Cranston; Jacqueline Savoie; Mount Hope Farm; Thurston Sails.

Food Donations: Denise Levesque, Bristol Stop & Shop; Paul Cabral, Cabral's Gourmet Chicken; Paul Manceiri, Leo's Ristorante; Mike Cavalieri, Wood Street Bakery; and John Balzano, Tweet's Family Restaurant.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed the Seal of the Town of Bristol, Rhode Island on adoption this 6th Day of June, A.D. Two-thousand Twelve.

/s/ Diane C. Mederos, Town Administrator
/s/ Kenneth A. Marshall, Chairman
/s/ David E. Barboza, Vice-chairman
/s/ Antonio A. Teixeira, Councilman
/s/ Halsey C. Herreshoff, Councilman
/s/ Mary A. Parella, Councilwoman

Attest: /s/ Louis P. Cirillo, CMC, Council Clerk

Council Chairman Marshall also recognized Recreation Director Burke who organized the effort and Bruce Palumbo of the Elks Riders who was also a participant.

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Recreation Director Burke recognized the efforts of two hundred individual participants and the support of Ginny Hanson and Karl Antonevich of the Bristol Veterans Council.

Gen. Rick Baccus, Veterans Home Commandant, thanked the Council and the various participants on behalf of the Home's many residents.

It is also noted for the record that the named participants and contributors received legislative citations from the Rhode Island House of Representatives.

Council Chairman Marshall also noted that he has been honored to "be part of the big picture" and that the Town has moved forward for the benefit of all residents. He cautioned that the social media can be sometimes instantaneously damaging and that persons using same should exercise caution.

Councilman Barboza announced that Roger Williams University is encouraging visiting alumni to frequent Bristol shops and restaurants during the upcoming alumni weekend. He stated that he appreciates the University's efforts on behalf of local commercial establishments.

Councilman Barboza also announced that the annual Firefighters Memorial Sunday will be on Sunday, June 10, 2012. He described the various activities and encouraged all citizens to attend.

Councilman Teixeira announced that the Day of Portugal will be held in Providence on Saturday and Sunday, June 9 and 10, 2012. He noted that there will be a waterfire display as part of the festivities and repeated the same announcement in the Portuguese language.

Councilman Barboza announced that the Fourth of July Committee will have its annual fireworks display on July 3 at Independence Park. He explained that there were rumors that the fireworks have been cancelled and that this is untrue but a small display, typically held annually after the drum and bugle corps competition (also on July 3) will not take place this year.

Councilman Herreshoff noted that he would prefer if the Independence Day fireworks would be held on July 4 and that he has been disappointed since the date had been changed to July 3 several years ago. He explained that the July 3 fireworks display interrupts the "cadence" of the annual celebration.

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Councilman Herreshoff added that he would also prefer if the fireworks were displayed from a barge in the center of Bristol Harbor since this would allow for a more uniform viewing of same.

DaPonte's Landscaping Services
50th Business Anniversary

Council Chairman Marshall explained the a citation honoring DaPonte's Landscaping Services will be presented at the next Council meeting to be held on June 27, 2012.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Barboza/Teixeira - Voted
unanimously to approve the Consent
Agenda withholding agenda items I1,
R3, R6, R7, and R8 for further
consideration.

Prior to the vote taken, Councilman Barboza suggested that agenda item R3 might be withheld for further consideration and Councilman Teixeira suggested that agenda items I1, R6, R7, and R8 might also be withheld for further consideration.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Budget Workshop - March 21, 2012

Herreshoff/Barboza - Voted
unanimously to approve these
minutes as prepared and presented.

2. Town Council Budget Workshop - March 22, 2012

Herreshoff/Barboza - Voted
unanimously to approve these
minutes as prepared and presented.

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

**Approval of consent agenda="Motion to receive and place
these items on file."**

- 1. Bristol Housing Authority - April 13, 2012**
- 2. Zoning Board of Review - February 6, 2012
(complete copy)**
- 3. Harbor Commission - May 7, 2012**

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4. Zoning Board of Review - April 2, 2012
5. Citizens Property Revaluation Advisory Committee - April 19, 2012
6. Citizens Property Revaluation Advisory Committee - May 3, 2012
7. Conservation Commission - March 5, 2012
8. Conservation Commission - April 2, 2012

B. OLD BUSINESS

1. Michael Andreozzi, 6 Harker Avenue - request remedy re Tanyard Brook flooding, **continued from May 16, 2012**

LATE ITEM

- a. Director of Public Works Galuska re drainage issue

Teixeira/Parella - Voted unanimously to refer this matter to Public Works Director Galuska, Town Solicitor Ursillo, Councilman Herreshoff and Councilman Teixeira.

Prior to the vote taken, Public Works Director Galuska reported that he has a solution to the drainage problem and believes that his plan should be implemented.

Councilman Herreshoff stated that he understood that a neighbor was resisting the plan as proposed by Public Works Director Galuska and asked if Public Works Director Galuska could recommend an alternate route for the proposed drainage pipe.

Public Works Director Galuska stated that the pipe could be in back of the Blanchard property but informed the Council that he (Public Works Director Galuska) was of the opinion that this alternative did not make sense.

Councilman Herreshoff suggested that the matter might be referred to Town Solicitor Ursillo so that he might mediate a solution. He added that he (Councilman Herreshoff) would like to participate in the mediation.

Councilman Teixeira stated that he, too, would like to participate in the mediation.

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2. Councilman Herreshoff re urgings for actions to hopefully benefit the Town, **continued from May 16, 2012**

Parella/Teixeira - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Town Administrator Mederos reported that she received "positive feedback" from the State DOT concerning Councilman Herreshoff's suggestion that the new granite curbs should receive rounded edges.

Councilman Herreshoff asked to know if there was further consideration of his request to amend the angular parking along Independence Park with Town Administrator Mederos stating that Public Works Director Galuska was evaluating the suggestion.

Public Works Director Galuska explained that he was concerned that the change might result in the loss of two full parking spaces.

Councilman Herreshoff agreed to meet with Public Works Director Galuska regarding his proposal.

Councilman Herreshoff asked to know if the idea to change the radius of the corner at Franklin and Hope Streets was "dead" with Town Administrator Mederos responding that it was not practical to change this radius.

Councilman Herreshoff observed that the Ginkgo trees planted on the sidewalk near the Rogers Free Library were relatively small.

Town Administrator Mederos noted that these trees were beginning to leaf out and would need some time to become larger.

Councilman Herreshoff asked if these particular trees will emit a foul odor with Director of Community Development Williamson explaining that the female Ginkgo tree does emit a foul odor but added that the Ginkgo trees planted are the male variety and that the male variety of the Ginkgo tree does not emit a foul odor.

Councilman Herreshoff stated that he hoped that the paving contractor has the machinery to provide "velvet" paving along the stretch of Hope Street to be rehabilitated.

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Councilman Herreshoff asked about the removal of the "speed bumps" near the John Post Reynolds School with Public Works Director Galuska reporting that he is preparing plans and specifications to accomplish this. He added that since there will be a continued need to provide access for persons with disabilities, the plans will include same.

Councilman Herreshoff added that he was hopeful that the Town land at the intersection of Hope and Wood Streets would become a park.

3. Robert Morris, 93 Kickemuit Avenue re dock at Independence Park, **continued from May 16, 2012**

Herreshoff/Parella - Voted unanimously to request that administration provide temporary facilities for offloading of fishing vessels during State Street Dock construction and also to instruct the Clerk to arrange a special meeting of the Council to include Mr. Morris, Mr. Sousa, State Street Dock Committee representatives, Principal Planner Tanner, Director of Community Development Williamson and the Harbor Master's Office.

Prior to the vote taken, Director of Community Development Williamson reported that she, Recreation Director Burke, Harbor Master Cabral, and Town Solicitor Ursillo discussed the situation and seems to have found a suitable alternative location to accommodate Mr. Morris' vessel. She added that it will be necessary to obtain permission of the property owner and that Assistant Harbor Master Calouro was working on this also.

Councilman Herreshoff asked to know if the place was not on the Independence Park waterfront with Director of Community Development Williamson responding that the alternative location was not at Independence Park.

Councilwoman Parella asked when this would happen with Director of Community Development Williamson stating that she has contact information for the property owner and also has a "Plan B" should the first plan not be possible.

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Councilwoman Parella stated that she does not have a problem with the original site as proposed by Mr. Morris. She added that she believes that the Town should do what it can to support the fishing industry since this industry is facing much adversity.

Stan Dimock informed the Council that he was aware that the owner of the property considered in Director of Community Development Williamson's "Plan A" was not interested and suggested that Director of Community Development Williamson might rather pursue "Plan B."

Mr. Morris informed the Council that he is "trying to survive" in his fishing business and that he was concerned that no one seems to care. He added that the State Street Dock Committee chairman put a "fear factor" into the plans for the dock rehabilitation.

Councilman Herreshoff stated that he believes that the Town should pursue a permanent solution to the problem and also that the Council should institute temporary reuse of the State Street Dock by Mr. Morris until the permanent solution is put in place.

Council Chairman Marshall stated that he believes that the Council's plan for the State Street Dock is to keep same as a "working pier." He added that he was disappointed to learn that some of the repairs to the dock were damaged by an individual.

Councilman Teixeira stated that he, too, noted and was disappointed by the damage to the dock as first described by Council Chairman Marshall. He added that he also agrees that the dock should be kept as a working pier.

Mr. Morris recommended that ladders should be installed along the perimeter of the dock with Councilman Herreshoff stating that he agrees with Mr. Morris that ladders are needed.

After the vote taken, Russell Sousa, a member of the audience, expressed concern that he received a summons from the Harbor Master when Frank Andrews did not receive one for the same alleged infraction.

Councilwoman Parella asked to know how many commercial fishermen (similar to Mr. Morris) were operating in Bristol with Mr. Morris responding that there was an average of six and that "some come and go." He added that he is most active in September and October.

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4. New (draft) resolution re opposition to tolls on Mount Hope and Sakonnet River Bridges

Barboza/Parella - Voted unanimously to adopt this resolution as prepared and presented.

5. Councilman Herreshoff re East Bay Consortium Windmill Project

- a. Director of Community Development Williamson re new current proposed legislation S2870 Sub A - East Bay Energy Consortium (EBEC) (legislation attached)

LATE ITEM

- b. Jay J. Lambert, President, Tiverton Town Council - resolution re preliminary, conceptual support of EBEC

Herreshoff/Teixeira - Voted unanimously for the Town of Bristol to withdraw its previous resolution regarding the East Bay Energy Consortium pending possible future consideration of and alternative proposal.

Prior to the vote taken, Council Chairman Marshall stated that the proposal appears to be headed for a joint Senate/House committee for further study and that the proposal, as initially presented, appears to be moot at this point.

Council Chairman Marshall thanked Director of Community Development Williamson, Recreation Director Burke and the other participants in the EBEC. He added that he believes that the Consortium's work has "opened the eyes of the State" regarding renewable energy and that he does not believe that the work accomplished thus far has gone to waste.

Councilman Barboza stated that he spoke to Sen. David E. Bates and that Sen. Bates indicated that the bill was "killed." He, too, described the proposed study commission as noted by Council Chairman Marshall above.

Councilman Herreshoff stated that he understands Council Chairman Marshall's interest in a renewable energy

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consortium but believes that the legislative bill was flawed as prepared by Attorney Moses. He added that a new bill contemplated by the General Assembly "appears to be even worse" and that the "whole thing is nuts."

Councilman Herreshoff stated that he believes that the issue of renewable energy should be resolved by for-profit businesses and that any such proposal must "pass the profit test."

Councilman Herreshoff expressed concern that a regionalized effort can sometimes go awry and used the current financial dispute between the Town of Warren and the Bristol Warren Regional School District as an example. He added that a regional effort to include nine towns was ripe with problems.

Council Chairman Marshall noted that the proposal to share a wind energy project in Tiverton was sensible since the effected parties appear to have embraced the idea and also that the energy source has a back-up natural gas supply. He added that Governor Chafee has called for more widespread regionalization in Rhode Island.

Council Chairman Marshall added that National Grid put forth a proposal for a 15% rate increase despite lower natural gas prices. He also added that National Grid is a British company with no local allegiance and that the company withdrew its proposal for a rate increase.

Council Chairman Marshall noted that both the Providence Journal and Providence Business News observe that the State of Rhode Island is economically challenged due to excessive energy costs. He added that former Governor Carcieri also supported the idea of renewable energy with the "deep water wind" proposal.

Council Chairman Marshall explained that the government builds initiatives and provides assistance in many ways including promoting the tourist industry, etc. He added that the Town's participation in an energy consortium is much the same and that some of the ideas originating from the Council table, and others, have resulted in \$.25 billion in economic development initiatives in Bristol. He also added that the matter may be spun in several ways but the "bottom line is do-nothing, get-nothing" and the result will be higher unemployment.

Councilman Herreshoff expressed concern that the Town might benefit at the expense of other Rhode Island communities

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since these would be required to subsidize the renewable energy project. He added that he disagrees with the assertion of Jean Marie Napolitano that the participating communities would hold no financial risk in the enterprise and that he has a "dim view" of the proposal overall.

Councilman Barboza stated that he hopes that the proposed legislative commission will examine all aspects of the renewable energy topic.

Council Chairman Marshall noted that the EBEC considered energy issues beyond a wind farm including solar. He added that the intention was to have a public/private partnership.

Councilman Teixeira stated that he was concerned that some action might take place at the "eleventh hour" at the State House.

Council Chairman Marshall stated that he believes that Governor Chafee will veto the bill if it should pass and Councilman Barboza repeated that Sen. Bates indicated to him that the bill appears to be without support.

Council Chairman Marshall noted that should the bill be passed and approved, the Council would still have the power to preclude the Town's participation.

Town Solicitor Ursillo reported that the Town of Tiverton is opposing the bill and also that Barrington does not want it. He concluded that the bill "is going nowhere."

Peter Hewett of 11 Wendy Drive stated that he was concerned about the possible passage of the legislation and suggested that the Council might officially withdraw its earlier resolution of support.

Council Chairman Marshall expressed concern that there has been misinformation in the public concerning the EBEC. He stated that the inaccuracy reminds him of some misinformation brought forward concerning the Bristol County Water Authority. He added that the current members of the "consortium" are mostly town planners trying to create an entity to protect and benefit the communities.

Mr. Hewett informed the Council that he does not believe that the towns should compete with private industry.

Councilman Barboza noted that the Speaker of the House appears to oppose the bill in favor of the establishment of a study commission. He suggested that the time and energy

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of the interested parties should be spent to influence the study commission. He also suggested that Mr. Hewett should be appointed to represent Bristol on this commission.

Councilwoman Parella noted that there can be much debate on the public/private issue and also that some publicly owned utilities have been very successful. She added that she believes that the Providence Water Supply Board and the Narragansett Bay Commission have been successful enterprises and that it is unwise to "broad brush" the issue.

After the vote taken, Jeff Black of Barrington informed the Council that the Bristol County Water Authority is "broken, stinks, and is a total failure." He informed the Council that he examined the minutes of the EBEC and found that the information regarding the treasurer's report indicated a lack of control and necessary details. Mr. Black also questioned the information he received from Director of Community Development Williamson's assistant Susan Francis concerning the funds paid to the EBEC Counsel, Mr. Moses.

Mr. Black also expressed concern that the EBEC pays someone to record its minutes and suggested that this might rather be done by an unpaid volunteer.

Council Chairman Marshall explained that the EBEC is supported through a grant and that Town Treasurer Goucher oversees the finances and that these are subject to audit.

Councilwoman Parella added that the financial arrangement is not unusual for "explore and study" projects funded through grants. She added that the Town serves as a fiduciary agent for the EBEC.

Council Chairman Marshall noted that Mr. Black's comments have been costly to the Bristol County Water Authority.

6. Councilman Herreshoff re ban of through trucking on Route 114 and Ferry Road
 - a. Police Chief Canario - report re banning through trucking on Route 114

Herreshoff/Parella - Voted
unanimously to continue this matter
for further study.

Prior to the vote taken, Council Chairman Marshall read from the memorandum prepared by Lt. Brian Burke as provided in the recommendation of Police Chief Canario.

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BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

D. ORDINANCES

1. Ordinance #2012-03, Chapter 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, (various sections), **1st reading**
 - a. (Town Administrator Mederos) re Hope Street Reconstruction project - proposed ordinance amendments concerning parking restrictions

Barboza/Teixeira - Voted unanimously to consider this action to constitute the first reading of Ordinance #2012-03. Advertise in local newspaper.

Prior to the vote taken, Councilman Teixeira asked to know if this ordinance will impact the number of parking spaces with Director of Community Development Williamson reporting that the ordinance is before the Council to "clean-up" the downtown parking per the Hope Street rehabilitation project.

Police Chief Canario reported that not many parking spaces will be eliminated.

(CA) E. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

F. APPOINTMENTS

1. Public Service Appointments
 - a. Harbor Master Cabral re part-time office assistant - Jennifer Alves, 34 Duffield Avenue

Councilman Barboza nominated Jennifer Alves to the position of part-time office assistant.

There were no counter-nominations.

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Barboza/Teixeira - Voted unanimously to close nominations and instruct the Clerk to cast one ballot in favor of Jennifer Alves for the position of part-time office assistant in the Harbormaster's Office for the ensuing term.

- b. Economic Development Commission (3) (to fill unexpired terms; two (2) terms to expire in September 2012 and one (1) term to expire in September 2014)
 - 1. Christy Nadalin, 9 Church Street - interest/appointment
 - 2. Pamela D. Delaney, 133 Ferry Road - interest/appointment

Councilman Barboza nominated Ms. Nadalin to the Economic Development Commission for the term expiring in September 2014.

There were no counter-nominations.

Barboza/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Nadalin with term to expire in September 2014.

Barboza/Parella - Voted unanimously to instruct the Clerk to set an interview for Ms. Delaney at a time convenient to the parties.

- c. Christmas Festival Committee (terms to expire in October 2012)
 - 1. Joseph Kalen, 99 Peck Avenue - interest/appointment
 - 2. Tanya Kieron, 90 Union Street - interest/appointment

Councilman Barboza nominated Mr. Kalen and Ms. Kieron to serve on the Christmas Festival Committee.

There were no counter-nominations.

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Barboza/Teixeira - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot each in favor of Mr.
Kalen and Ms. Kieron with terms to
expire in October 2012.

- d. Council Clerk Cirillo re recommendation
of Veterans Council - ex-officio member
of the Recreation Board, Jack Barton

Councilman Barboza nominated Mr. Barton to the position of
ex-officio member as recommended by the Bristol Veterans
Council.

There were no counter-nominations.

Barboza/Teixeira - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot in favor of Mr. Barton,
to serve at the pleasure of the
Council.

After the vote taken, Mr. Barton thanked the Council for its
support and stated that it would be an honor and privilege
to serve in this capacity.

G. LICENSING BOARD - NEW PETITIONS

1. Pamela M. DeCosta, d/b/a Copper Quahog, 54
State Street - request for Holiday Sales
License

LATE ITEM

- a. Recommendation - Town Administrator and
Chief of Police

Barboza/Teixeira - Voted
unanimously to grant this license
per the recommendations received
and subject to conformance to all
laws and ordinances and payment of
all fees, taxes, and levies.

2. Madeline Grimo on behalf of Feast Committee,
Our Lady of Mount Carmel Church, 141 State
Street - request for One-Day Dancing and
Entertainment License, July 13, 14 & 15, 2012

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LATE ITEM

- a. Recommendation - Town Administrator and Chief of Police

Herreshoff/Teixeira - Voted unanimously to grant this license based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies.

3. Jennifer Evans, d/b/a Angelina's, 301 Hope Street - request for Sidewalk Use License

LATE ITEM

- a. Recommendation - Town Administrator and Chief of Police

LATE ITEM

- b. Recommendation - Code Compliance Coordinator

Barboza/Herreshoff - Voted unanimously to continue this matter until the meeting of June 27, 2012.

Prior to the vote taken, it was noted that the administration recommends denial due to the dimensions of the sidewalk as compared to that which is allowable by Town ordinance.

Council Chairman Marshall suggested that the petitioner may wish to meet independently with Director of Community Development Williamson and the Police Department in order to investigate other options prior to the Council's denial of this particular request.

H. LICENSING BOARD - RENEWALS

(CA) I. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

1. Department of Public Works - Road Cut Permits

Teixeira/Barboza - Voted unanimously to approve these petitions.

Prior to the vote taken, Councilman Teixeira stated that he observed some road work near the intersection of Hope and

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Wood Streets and asked if this was related to the upcoming Tanyard Brook project.

Director of Community Development Williamson replied that this work was in fact in preparation of the project and Council Chairman Marshall noted that a gas main in the area is being relocated.

J. PETITIONS - OTHER

1. Helga Piccoli, Treasurer, Bristol Art Museum - request to hold "Art al Fresco" show on fences of Linden Place and Bradford-Diamond-Norris House (Hope Street), July 29, 2012 (rain date August 5, 2012)

LATE ITEM

- a. Recommendation - Town Administrator and Chief of Police

Teixeira/Barboza - Voted unanimously to approve this petition based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Rep. Richard P. Morrison re designation of handicapped parking spaces along Hope Street (post office area)

Barboza/Teixeira - Voted unanimously to send a memorandum to Representative Morrison and to refer this matter to the Town Administrator.

Prior to the vote taken, Council Chairman Marshall stated that he discussed this matter with Town Administrator Mederos and that it needs further study.

A discussion ensued regarding the availability of bona-fide handicapped parking spaces in the Library parking lot and that handicapped parking spaces typically require extra space and curb cuts which might not be readily available on Hope Street.

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Council Chairman Marshall suggested that the Clerk might send a memorandum to Representative Morrison informing him that the Town will investigate the matter further and also that the spaces are available nearby in the Library parking lot.

2. Jeffrey M. Willis, Deputy Director, Coastal Resources Management Council re rescheduled public hearing (June 13, 2012) - amendment to Narrow River Special Area Management Plan (SAMP)

Barboza/Teixeira - Voted
unanimously to receive and place
this matter on file.

3. Town Administrator Mederos re RGS Energy - provide status of proposed solar installation project at landfill

Herreshoff/Barboza - Voted
unanimously to refer this matter to
the meeting scheduled for June 27,
2012.

Prior to the vote taken, Director of Community Development Williamson introduced Jim Christo, Director, Project Development, Eastern Region of RGS Energy.

Mr. Christo presented an aerial view of the former Minturn Farm landfill and explained that his company plans to install a 3.7 megawatt solar array and that this would be a substantial project producing electricity for approximately 400 homes.

Mr. Christo reported that the array will be installed as a ballasted system appearing much like jersey barriers. He added that his company is now working on a lease agreement with the Town and that the company will be essentially a tenant to the Town paying rent for the property.

Council Chairman Marshall explained that he, Public Works Director Galuska, Town Administrator Mederos, Director of Community Development Williamson, Town Treasurer Goucher, and Water Pollution Control Superintendent Calderiso reviewed the proposals as submitted by RGS and others and selected RGS based upon the company's qualifications. He added that there is no lease amount known at this time and that the Town will accept or reject the lease arrangements when these are finalized.

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Council Chairman Marshall added that the Town will derive a payment should it approve the lease and the Town will not incur an expense as a result of the project.

Councilman Herreshoff asked to know the proposed life of the project with Mr. Christo responding that the equipment is warranted for 25 years but he anticipates that it will last longer.

Councilman Herreshoff asked to know if the management of the project, once built, will be subcontracted to another company with Mr. Christo responding affirmatively. He added that his company is in the design and build business and others manage operations.

Councilman Herreshoff stated that he approves of the idea.

Councilman Teixeira stated that he was confused by the presentation with Council Chairman Marshall responding that the project will be completed at no cost to the Town.

Councilman Teixeira asked to know how RGS will be paid with Mr. Christo responding that their costs to date are at risk since the project will not be built unless his company is able to secure a contract to sell the electricity the project will produce.

Mr. Hewett asked to know if RGS is similar to the Apex Wind Energy Company discussed relative to the East Bay Energy Consortium with Mr. Christo responding affirmatively.

Mr. Hewett asked to know if RGS will pay a certain amount of rent to the Town regardless of the success of the energy production with Mr. Christo responding affirmatively adding that this will depend upon the conditions of the lease as agreed to by the Town.

Joseph Perry of Ferry Road asked to know who would be responsible for maintenance, security, vandalism and liability with Mr. Christo responding that there would be a security fence installed.

Council Chairman Marshall asked if the Town would be indemnified by RGS for liability with Mr. Christo responding affirmatively.

A discussion ensued regarding grass mowing, etc., with Mr. Christo noting that it will be in the best interest of RGS to assure that the property is maintained since this will

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have a direct correlation between the amount of energy produced.

A further discussion ensued regarding insurance with Town Solicitor Ursillo stating that he will thoroughly examine any lease agreement before it is signed to assure the Town's best interest.

L. BILLS & EXPENDITURES

1. RFP #760 - (Rebid) Municipal Tree Stump Removal/Grinding and Tree Maintenance Services

Barboza/Herreshoff - Voted
unanimously to refer this matter to
the Town Administrator to act in
the best interest of the Town.

Prior to the vote taken, the Clerk read the following proposals* for tree maintenance as received:

American Tree Works	Bristol, RI	\$130.00/hour
Sepe Tree Service, LLC	Providence, RI	\$138.50/hour
North-Eastern Tree Serv.	Cranston, RI	\$ 80.00/hour

**It is hereby noted for the record that each proposal contained separate pricing for tree and stump removal.*

2. Bid #761 - Sports Field Lighting Project
(Men's Softball Field, Town Beach Sports Complex)

Barboza/Herreshoff - Voted
unanimously to refer this matter to
the Town Administrator and
Recreation Director to act in the
best interest of the Town.

Prior to the vote taken, the Clerk read the following bids as received:

E. W. Audet & Sons	Providence, RI	\$128,950
Arden Engineering Co.	Pawtucket, RI	\$189,450
Ryan Electric	Warwick, RI	\$178,868
K Electric, Inc.	Warwick, RI	\$145,000
Rossi Electric Company	Cranston, RI	\$146,864

(CA) M. ROUTINE REPORTS

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(CA) N. FINANCIAL REPORTS

Approval of consent agenda="Motion to receive and place this item on file."

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, June 1, 2012

P. PROCLAMATIONS & CITATIONS

1. Commendation - Joseph Bolduc, Eagle Scout Court of Honor

Teixeira/Barboza - Voted
unanimously to adopt this
commendation as prepared and
presented.

2. Commendation - Eddie Roia, support of Bristol Animal Shelter

Teixeira/Barboza - Voted
unanimously to adopt this
commendation as prepared and
presented.

3. Proclamation - Rev. Father Barry J. Gamache, 60th Birthday

Teixeira/Barboza - Voted
unanimously to adopt this
proclamation as prepared and
presented.

(CA) Q. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED

Approval of consent agenda="Motion to receive and place these items on file."

1. Leigh A. Botelho, East Greenwich Town Clerk - request for support of resolution re Senate Bill 2928, An Act Relating to Taxation - Taxation of Farm, Forest and Open Space (enables tax assessor to save postage in first mailing to landowners) (legislation attached)

(CA) R. DISTRIBUTIONS/COMMUNICATIONS

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Approval of consent agenda="Motion to receive and place these items on file."

1. Warrants - Board of Fire Engineers
2. Resolution - Bristol Fourth of July Celebration 2012 (signed copy)
3. Town Administrator Mederos to Frank J. Champi, CPA, LGC&D LLP - award of Bid #755 Audit Services for FYs Ending June 30, 2012, 2013, and 2014

Barboza/Teixeira - Voted
unanimously to receive and place
this matter on file.

4. Council Clerk Cirillo and Town Solicitor Ursillo to Sen. David E. Bates, et al re reconsideration of legislation - East Bay Energy Consortium
5. Council Clerk Cirillo to Bristol Legislative Delegation re resolution in support of Gov. Chafee's legislative package (resolution attached)
6. Council Clerk Cirillo to Sen. David E. Bates, et al re amendment to Bristol County Water Authority Enabling Legislation

Teixeira/Barboza - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Councilman Teixeira noted that this matter was referred to the General Assembly as agreed.

7. Julie A. Coelho, CMC, Warren Town Clerk to Rep. Richard P. Morrison re amendment to Bristol County Water Authority Enabling Legislation

Teixeira/Barboza - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Councilman Teixeira noted that this matter was referred to the General Assembly as agreed.

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8. Council Clerk Cirillo to John M. Jannitto, Chairman, Bristol County Water Authority Board of Directors re amendment to Bristol County Water Authority Bylaws

Teixeira/Barboza - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Councilman Teixeira noted that this matter was referred to the Water Authority as agreed.

9. Council Clerk Cirillo to Sen. David E. Bates, et al re November 2012 Bond Referendum legislation (legislation and resolution attached)
10. Town Administrator Mederos to Kazem Farhoumand, PE, Chief Engineer, RI Department of Transportation (RIDOT) re Hope Street Reconstruction project (sharp edge on new curbing)
11. Coastal Resources Management Council - Semi-Monthly Meeting, May 22, 2012
12. Warrant - Barbara Healy, Harbor Commission Advisory Committee
13. Wood Street Pizza - Sidewalk Use License renewal petition (granted May 2, 2012)
14. Warrant - Edward P. Stuart, Jr., Zoning Board of Review
15. Town Solicitor Ursillo to Michael J. Ferreira re Show Cause Hearing for Coastal View, Inc., d/b/a Gillary's, 198 Thames Street - suspension of suspension of Class B Victualler License and Dancing and Entertainment License
16. Council Clerk Cirillo to Director of Public Work re handicapped parking space - 239 Wood Street
17. Floral Symphony - Sidewalk Use License renewal petition (granted May 2, 2012)

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18. Coastal Resources Management Council - June 2012 Calendar
19. Our Lady of Mount Carmel Church Feast Committee - petition for Class F liquor license, July 12-15, 2012
20. Warrant - Adriano Tavares, Golf Course Committee
21. RIDOT re Community Update - Hope Street project (May 20-June 9)

(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS
(Office copy only)

Approval of consent agenda="Motion to receive and place these items on file."

1. Bristol Warren Regional School District - Schedule of Meetings, Week of May 14, 2012
2. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - May 14, 2012
3. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - May 14, 2012
4. Bristol Warren Regional School Committee - May 14, 2012 (workshop)
5. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - May 15, 2012
6. Bristol Warren Regional School Committee - Council 94 Contract Negotiations, May 31, 2012
7. Economic Development Commission - May 17, 2012
8. Bristol County Water Authority (BCWA) - Special Board Meeting, May 16, 2012
9. Harbor Commission - May 21, 2012
10. BWRSD - Schedule of Meetings, Week of May 21, 2012

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11. Bristol Warren Regional School Committee
Personnel/Contract Negotiation Subcommittee -
May 29, 2012
12. Bristol Warren Regional School Committee -
May 29, 2012
13. BCWA Board of Directors - May 30, 2012
(revised)
14. BCWA - Annual Meeting, May 30, 2012 (revised)
15. Citizens Property Revaluation Advisory
Committee - June 12, 2012
16. Bristol Warren Regional School District -
Schedule of Meetings, Week of June 4, 2012
17. Bristol Warren Regional School Committee
Policy/Community Affairs Subcommittee - June
4, 2012

S. TOWN SOLICITOR

1. Town Solicitor Ursillo re Restrictions on
Peddling and Hawking

Barboza/Teixeira - Voted
unanimously to refer this matter to
the Town Solicitor so that he might
draft the proper ordinance
language.

Prior to the vote taken, Town Solicitor Ursillo explained
that his office researched the matter of itinerant vendors
and that the memorandum outlines some general ideas.

Councilman Herreshoff suggested that the Town could consider
all of the restrictions in an ordinance.

Councilman Barboza noted that he attended a recent meeting
of the DBMA and that all appear to be in agreement that food
trucks downtown are ill advised.

Town Solicitor Ursillo agreed to work with Town
Administrator Mederos to develop an ordinance for Council
consideration.

Councilman Barboza stated that he is not generally concerned
about lemonade trucks but rather that the Council should

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consider certain restrictions for food trucks which directly compete with established businesses.

Councilwoman Parella noted that the ordinance must make the distinction for one which is hauled versus one which is stationary. She added that there might be provisions concerning those allowed to operate during concerts, etc.

Councilman Teixeira noted a Newport provision which allows for the suspension of food truck activity when deemed necessary by the chief of police.

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

a. Mike Davis - Council Chairman Marshall thanked Mike Davis for his efforts this evening.

b. 4th of July Safety - Council Chairman Marshall noted the "spirit and energy" of the Independence Day celebration and cautioned that participants should follow safety rules.

c. Flag Day - Council Chairman Marshall observed that the annual Flag Day ceremonies will take place beginning at 6:00 o'clock PM on the Town Common.

d. Memorial Day - Council Chairman Marshall noted the success of the recent Memorial Day observance.

e. For the Record - Council Chairman Marshall observed that the Council has worked cooperatively with administration to "build up and not tear down." He suggested that the public should keep in mind that Bristol is a place where unfounded allegations and unwarranted condemnation is unwelcome.

2. BARBOZA

a. Happy Birthday - Councilman Barboza wished his mother a happy birthday and noted that the day falls on Flag Day (June 14).

3. TEIXEIRA

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a. Day of Portugal - Councilman Teixeira again reminded those present of the approaching Day of Portugal, outlined the planned events, and repeated his announcement in the Portuguese language.

b. Happy Father's Day - Councilman Teixeira noted the approach of Father's Day.

4. HERRESHOFF

a. July Best Month - Councilman Herreshoff stated that July is the best month to be in Bristol.

5. PARELLA

a. Flags and Fathers - Councilwoman Parella noted the approach of both Flag Day and Father's Day.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

CITIZENS PUBLIC FORUM

There being no further business, upon a motion by Councilman Barboza, seconded by Councilman Herreshoff and voted unanimously, the Chairman declared this meeting to be adjourned at 9:56 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk